

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 10711 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

- =====
1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

JARGUNKHAN @ JARGUNSHA

VAZIRKHAN PATHAN

Versus

STATE OF GUJARAT

Appearance:

MR EE SAIYED for Petitioner

MR SAMIR J DAVE for Respondent No. 1, 2, 3

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 26/02/2001

ORAL JUDGEMENT

Both the counsel for the parties are in agreement that the matter is squarely covered by the decision of this Court in the case of Kalidas C. Kahar vs. State of Gujarat & Ors. reported in 1993 (2) GLR 1659 on the point of verification of the statements of the witness

and the date of detention order.

In the result, this petition succeeds and the same is allowed. The order of detention of the petitioner dated 19-9-2000 is quashed and set aside. The petitioner Jargunkhan @ Jargunsha Vazirkhan Pathan, the detenu, at present in Porbandar Jail be set at liberty forthwith, if he is not required in any other case. Rule is made absolute. No order as to costs.

zgs/-